

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TYCO INTERNATIONAL LTD.,

Defendant.

:
: **No. 06-CV-2942 (RWS)**
: **ECF Case**
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**PLAINTIFF’S NOTICE OF MOTION AND MOTION FOR AN ORDER APPROVING
THE FINAL ACCOUNTING, AUTHORIZING PAYMENT OF FINAL TAX
ADMINISTRATION FEES AND EXPENSES, TERMINATING THE FAIR FUND,
DISCHARGING THE FUND ADMINISTRATOR, AND RELATED RELIEF**

PLEASE TAKE NOTICE that Plaintiff Securities and Exchange Commission (the “SEC”) will move this Court, at a date and time to be determined by the Court, before the Honorable Robert W. Sweet, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an Order:

1. Approving the final accounting attached to the accompanying Memorandum (the “Memorandum”) as Exhibit B;
2. Authorizing the SEC to pay the final fees and expenses of the Tax Administrator as provided in the Declaration of Jude P. Damasco and invoice attached as Exhibit C to the Memorandum;
3. Directing the payment of any remaining funds, and any funds returned to the Fair Fund in the future, to the SEC for remittance to the general fund of the U.S. Treasury, subject to Section 21F(g)(3) of the Securities Exchange Act of 1934 [15 U.S. Code § 78u-6(g)(3)];

4. Terminating the Fair Fund; and
5. Discharging the Fund Administrator.

MOTION

The SEC respectfully requests that the Court enter an Order approving the final accounting, attached to the Memorandum as Exhibit B; authorizing the payment of final tax fees and expenses as further described in the declaration and invoice attached as Exhibit C to the Memorandum; directing the SEC to remit all funds remaining in the Fair Fund, and the payment of any funds returned to the Fair Fund in the future, to the SEC for remittance to the general fund of the U.S. Treasury, subject to Section 21F(g)(3) of the Securities Exchange Act of 1934 [15 U.S. Code § 78u-6(g)(3)]; terminating the Fair Fund; and discharging the Fund Administrator.

WHEREFORE, for all the reasons set forth in the Memorandum and exhibits thereto, the SEC respectfully requests that this Court enter the proposed Order and grant such other relief as it deems just and proper.

Dated: June 20, 2018

Respectfully submitted,

s/ Nichola L. Timmons
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